

EXHIBIT C

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PATENTS TRADEMARKS AND COPYRIGHTS

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VIA FEDERAL EXPRESS

E. Thomas Wheelock
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Re: Patentability Search
PHOTODYNAMIC CARDIAC
ABLATION THERAPY
JT & C Docket No. 004-067

Dear Tom:

In accordance with your telefax letter dated [REDACTED] we have conducted a patentability search on the above-identified subject.

As set forth in your letter and the accompanying materials, the search was directed to a device for creating a lesion in cardiac tissue. The lesion is created by administering a photodynamic drug to the desired region of the heart and applying light over a range of frequencies. The light source contains a LED or a lens connected to a series of fiber optic cables. These light sources allow the lesion to be created without generating heat and thereby shields the non-target tissue.

The patents located during the search which are believed to be of interest are the following:

<u>Patent No.</u>	<u>Inventor</u>
5,151,096	Khoury
5,257,970	Dougherty
5,281,218	Imran

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<u>Patent No.</u>	<u>Inventor</u>
5,298,018	Narciso, Jr.
5,344,434	Talmore
5,441,531	Zarate
5,445,608	Chen
5,489,279	Meserol
5,571,152	Chen
5,707,401	Talmore
5,709,653	Leone
5,728,090	Martin
5,766,234	Chen
5,775,339	Woodburn
5,782,895	Zarate
5,797,868	Leone
5,800,478	Chen
5,814,008	Chen
5,851,225	Lawandy
5,944,748	Mager
5,976,175	Hirano
6,030,411	Lawandy
6,058,937	Doiron

Most of the enclosed patents disclose the use of various light sources in combination with photodynamic therapy. The patent to Narciso, Jr., 5,298,018, discloses the use of photodynamic therapy for the treatment of cardiovascular disease. The photosensitizing agent is administered to the desired vessel and injured smooth muscle cells. After a period of time, the treatment area is subjected to light at a wavelength which causes cell lysis.

In the patent to Martin, 5,728,090, a device for irradiating cells for use in photodynamic therapy is disclosed. An array of light-emitting diodes (LEDs) 22 are arranged on the sides of the head 12 of a cylindrical support 10. The LEDs provide monochromatic light to activate photosensitive dyes for the treatment of tumors.

Patent 5,797,868 to Leone discloses a balloon catheter which may be used for photodynamic therapy. The catheter balloon contains a light-emanating optical fiber, an inner tubular member, a balloon member, and a fluid material. The catheter balloon provides uniform illumination for activating the photodynamic treatment fluid.

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We conducted our search in the following areas:

<u>Class</u>	<u>Subclass</u>
604	20 and 21
607	88-92

We also conducted a keyword search for relevant art on the Patent Office's Web based Examiners' Search Tool (WEST).

In addition, we searched forward most of the enclosed patents using the WEST database to locate any subsequent patents which the enclosed patents have been cited against as references. Any patents which we located have been included with the enclosed material.

We thank you for allowing us to be of assistance. Our debit note is enclosed.

Very truly yours,



James W. Hellwege

JWH/JP
Enclosures